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January 25, 2001

VIA FEDERAL EXPRESS

Mr. Trung Dinh  
1820 Catherine Street  
Santa Clara, CA 95050

Re: United States Patent Application  
Title: *Implementation of A Supply-Based Management System In A  
Network Environment*  
Our Reference No.: 1980P

Dear Mr. Dinh:

Enclosed are the formal papers required to complete the filing of the subject application filed in the United States Patent and Trademark Office on December 20, 2000.

Please sign and date where indicated, and return the executed documents to our office as soon as possible. A self-addressed Federal Express envelope has been enclosed for your convenience.

Thank you in advance for your prompt attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Michele Liu

Enclosure  
marketFusion\012501.1980P

EXH.A 1-7



## DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### **IMPLEMENTATION OF A SUPPLY-BASED MANAGEMENT SYSTEM IN A NETWORK ENVIRONMENT**

the specification of which

\_\_\_ is attached hereto.

X was filed on December 20, 2000 and assigned serial no. 09/742,848.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>

EXH. A 2-7

I hereby appoint Joseph A. Sawyer, Jr., Reg. No. 30,801; Stephen G. Sullivan, Reg. No. 38,329; Janyce R. Mitchell, Reg. No. 40,095 and Michele Liu, Reg. No.: 44,875 of **SAWYER LAW GROUP LLP**, located at **2465 E. Bayshore Rd., Suite 406, Palo Alto, California 94303**, tel phone **(650) 493-4540**, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to **Joseph A. Sawyer, Jr.** at telephone number **(650) 493-4540**, and address all correspondence to:

**SAWYER LAW GROUP LLP**  
**P.O. Box 51418**  
**Palo Alto, California 94303**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of **first**/joint inventor: **Gregory Gardner**

Residence Address: **1781 B Street**  
**Hayward** **Alameda** **California** **94541**  
**City** **County** **State** **Zip**

Post Office Address: **SAME**

Country of Citizenship: **United States of America**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Full Name of **second**/joint inventor: **Amrit Jassal**

Residence Address: **834 English Walnut Way**  
**Morgan Hill** **Santa Clara** **California** **95037**  
**City** **County** **State** **Zip**

Post Office Address: **SAME**

Country of Citizenship: **India**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

EXH. A 3-7

**COMBINED DECLARATION/POWER OF ATTORNEY (continued)**

---

Full Name of **third**/joint inventor: **Bharti Agrawal**

Residence Address: **4319 Sila Avenue**  
**Palo Alto      Santa Clara      California      94306**  
**City              County          State          Zip**

Post Office Address: **SAME**

Country of Citizenship: **India**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Full Name of **fourth**/joint inventor: **Suresh Narayanaswamy**

Residence Address: **3480 Granada Avenue, #296**  
**Santa Clara      Santa Clara      California      95051**  
**City              County          State          Zip**

Post Office Address: **SAME**

Country of Citizenship: **India**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Full Name of **fifth**/joint inventor: **Trung Dinh**

Residence Address: **1820 Catherine Street**  
**Santa Clara      Santa Clara      California      95050**  
**City              County          State          Zip**

Post Office Address: **SAME**

Country of Citizenship: **United States of America**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

EXH. A 4-7

## ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I/we, the undersigned, Gregory Gardner, Amrit Jassal, Bharti Agrawal, Suresh Narayanaswamy and Trung Dinh, do hereby sell, assign, and transfer unto **marketFusion, Inc.**, a corporation having a principal place of business at 1403 Parkmoor Avenue, San Jose, California 95126 ("Assignee"), its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent,

☐ which has been executed by the undersigned concurrently herewith,

☒ which was filed on December 20, 2000, and assigned serial no. 09/742,848

and is entitled:

### **IMPLEMENTATION OF SUPPLY-BASED MANAGEMENT SYSTEM IN A NETWORK ENVIRONMENT**

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application; and

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Signed:

Name: \_\_\_\_\_  
Gregory Gardner

Date: \_\_\_\_\_

Name: \_\_\_\_\_  
Amrit Jassal

Date: \_\_\_\_\_

Name: \_\_\_\_\_  
Bharti Agrawal

Date: \_\_\_\_\_

EXH. A 5-7

**ASSIGNMENT** (continued)

---

Name: \_\_\_\_\_

Suresh Narayanswamy

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Trung Dinh

Date: \_\_\_\_\_

EXH. A 6-7

**edEx** USA Airbill  
Express

FedEx  
Tracking  
Number

8275 1204 2481

Form  
I.D. No.

0235

SAC23

Sender's Copy

From Please print and press hard.

Date 1/25/01 Sender's FedEx Account Number 1652-4699-3

Sender's Name J. Sawyer Phone (650) 493-4540

Company SAWYER LAW GROUP LLP

Address 2465 E BAYSHORE RD STE 406

Dept./Floor/Suite/Room

City PALO ALTO State CA ZIP 94303

Our Internal Billing Reference 1980P OPTIONAL

Recipient's Name Trung Dinh Phone ( )

Company

Address 1820 Catherine Street  
We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept./Floor/Suite/Room

City Santa Clara State CA ZIP 95050

Peel and Stick FedEx USA Airbill

See back for application instructions.

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0162374355

#### 4a Express Package Service

- ☐ FedEx Priority Overnight Next business morning ☒ FedEx Standard Overnight Next business afternoon ☐ FedEx First Overnight Earliest next business morning delivery to select locations
- ☐ FedEx 2Day\* Second business day ☐ FedEx Express Saver\* Third business day
- \* FedEx Envelope/Letter Rate not available Minimum charge: One-pound rate

#### 4b Express Freight Service

- ☐ FedEx 1Day Freight\* Next business day ☐ FedEx 2Day Freight Second business day ☐ FedEx 3Day Freight Third business day
- \* Call for Confirmation:

#### 5 Packaging

- ☐ FedEx Envelope/Letter\* ☒ FedEx Pak\* ☐ Other Pkg. Includes FedEx Box, FedEx Tube, and customer pkg.
- \* Declared value limit \$500

#### 6 Special Handling

- ☐ SATURDAY Delivery RESTRICTIONS Available only for FedEx Priority Overnight and FedEx 2Day to select ZIP codes
- ☐ SUNDAY Delivery RESTRICTIONS Available only for FedEx Priority Overnight to select ZIP codes
- ☐ HOLD Weekday at FedEx Location RESTRICTIONS Not available with FedEx First Overnight
- ☐ HOLD Saturday at FedEx Location RESTRICTIONS Available only for FedEx Priority Overnight and FedEx 2Day to select locations
- Does this shipment contain dangerous goods?  
One box must be checked.
- ☒ No ☐ Yes As per attached Shipper's Declaration ☐ Yes Shipper's Declaration not required
- Dangerous Goods cannot be shipped in FedEx packaging.
- ☐ Dry Ice Dry Ice, 9, UN 1845 x kg ☐ Cargo Aircraft Only

#### 7 Payment Bill to:

- Enter FedEx Acct. No. or Credit Card No. below.
- ☒ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

FedEx Acct. No.  
Credit Card No.

Exp.  
Date

Total Packages

Total Weight

Total Declared Value†

\$ .00

FedEx Use Only

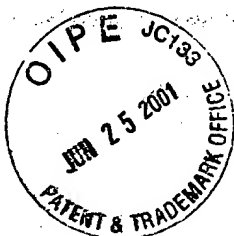
#### 8 Release Signature

Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature  
and agree to indemnify and hold us harmless from any resulting claims.

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402



EXH. A 7-7